

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for July 21, 2004 PLANNING COMMISSION MEETING

P.A.S.: Special Permit #04035
Andrea's Court CUP

PROPOSAL: Community Unit Plan consisting of 32 townhouse units and a church.

LOCATION: Approximately 40th and Superior Streets.

WAIVER REQUEST:

1. Eliminate the preliminary plat process.
2. Detention/retention storage for storm water.
3. Sidewalks on both side of private roadway.
4. Minimum lot area for single-family attached lots.
5. Cul-de-sac geometry.
6. Required yard setbacks.

LAND AREA: 4.628 acres, more or less, for density purposes.
9.413 acres, more or less, total.

CONCLUSION: This Community Unit Plan is consistent with the Comprehensive Plan and Zoning Ordinance. There does not appear to be any unusual circumstance to justify waiving sidewalks.

RECOMMENDATION:	Conditional Approval
1. Eliminate the preliminary plat process.	Approval
2. Detention/retention storage for storm water.	Approval
3. Sidewalks on both side of private roadway.	Denial
4. Minimum lot area for townhome lot.	Approval
5. Cul-de-sac geometry.	Conditional Approval
6. Required yard setbacks.	Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION:

The remaining portion of Lot 1, Hanson-Jordan Addition, located in the NE 1/4 of Section 7-10-7, Lancaster County, Nebraska, more particularly described in the attached metes and bounds description.

EXISTING ZONING: R-3 Residential

EXISTING LAND USE: Vacant

SURROUNDING LAND USE AND ZONING:

North:	Vacant	R-3 Residential
South:	Turner's Ditch	R-3 Residential
	Single-family dwellings	R-2 Residential
East:	Single- and multiple family dwellings	R-3 Residential
West:	Vacant	R-3 Residential
	Salt Creek	I-1 Industrial

HISTORY:

Aug 2003 Final Plat #03081 Hanson-Jordan 1st Addition submitted, proposing to split Lot 1 into two lots. This final plat has not been approved.

Jun 1989 Hanson-Jordan Administrative Final Plat approved Lot 1 and Outlot A.

May 1979 The zoning update changed this property from A-2 Single-Family Dwelling to R-3 Residential.

COMPREHENSIVE PLAN SPECIFICATIONS: The Land Use Plan identifies this area as Urban Residential. (F 27)

Urban Residential: Multi-family and single-family residential uses in areas with varying densities ranging from more than fifteen dwelling units per acre to less than one dwelling per acre. (F 27)

Guiding Principles for the Urban Environment - Residential Neighborhoods

Home ownership is the foundation upon which successful neighborhoods and communities are built. Citizens should be able to afford to buy a safe and decent home. The plan should recognize the impact of policies and programs on community housing costs. (F 18)

Encourage different housing types and choices, including affordable housing, throughout each neighborhood for an increasingly diverse population. (F 18)

Construction and renovation within the existing urban area should be compatible with the character of the surrounding neighborhood. (F 18)

Encourage mixed-use redevelopment, adaptive reuse, and in-fill development including residential, commercial and retail uses. These uses may develop along transit routes and provide residential opportunities for persons who do not want to or cannot drive an automobile. (F 18)

Guiding Principles for New and Existing Neighborhoods

Encourage a mix of compatible land uses in neighborhoods, but similar uses on the same block face. Similar housing types face each other: single family faces single family, change to different use at rear of lot. (F 69)

UTILITIES: Water service is public. Sanitary sewer service is proposed to be private, however, the Public Works Department recommends it be public as well.

TRAFFIC ANALYSIS: The Comprehensive Plan identifies North 40th Street as a Collector, and Superior Street as a Principal Arterial, both now and in the future. (E 49, F 103) Ballard Place is shown as a private roadway measuring 27 feet wide in most instances. The roadway terminates in a nonstandard cul-de-sac with an 18 foot wide travel lane.

Collector Streets: These streets serve as a link between local streets and the arterial system. Collectors provide both access and traffic circulation within residential, commercial, and industrial areas. Moderate to low traffic volumes are characteristic of these streets. (F 105)

Principal Arterials: This functional class of street serves the major portion of intercommunity and intracommunity traffic movement within the urban area and is designed to carry high traffic volumes. Facilities within this classification are capable of providing direct access to adjacent land but such service is to be incidental to the primary functional responsibility of moving traffic within this system.

ENVIRONMENTAL CONCERNS:

There is a mapped wetland on this site, which appears in old aerial photographs, but is not readily apparent today. The Applicant has delineated 0.14 acre of wetland, and is proposing to relocate a portion and enlarge the wetland to 0.17 acre. This is not a Category 4 Saline wetland, and will not be impacted by additional runoff from the church parking lot. The developer has also proposed a 25 foot wide no impact buffer and conservation easement around the wetland.

The developer has a current fill permit that would allow filling the entire site to the 100yr flood elevation. However, they are proposing to fill no more than 75% of the total allowed under the fill permit. Since this project is located within the existing city limits, it is not subject to the recently approved flood standards, including the no net rise policy and compensatory storage.

ANALYSIS:

1. This is a request for approval of a Community Unit Plan consisting of 32 townhouse units and a church.
2. The townhouse area consists of 4.62 acres, which will support up to 32 units under an R-3 CUP. The area shown for a future church is not included in the density calculation. The overall CUP area, as measured to the center lines of Superior and North 40th Streets, contains 10.4 acres. Since this area exceeds 10 acres, a reduction in density is not required.
3. Planning Staff supports the waiver to the requirement for a preliminary plat, provided Applicant submits all information required with a preliminary plat as part of the special

permit. The approved community unit plan may be used in lieu of the preliminary plat for the area of this amendment.

4. The Public Works Department supports the waiver to detention/retention facilities given the project's proximity to Salt Creek. This project is located in an area that has a recommended maximum fill percentage of 75%, based upon the Lancaster County Flood Insurance Study. This project does not exceed the maximum fill percentage for the site. The proposed drawings show only 35,884 cubic yards of off-site fill. The drawings should indicate the maximum allowable amount of fill is 36,555 cubic yards, and the actual amount used may be increased up to this amount through an administrative amendment approved by the Planning Director. Additionally, the flow path and capacity calculations for the local 100yr storm must be provided.
5. Planning Staff and the Public Works Department do not support the waiver to sidewalks on both sides of the private roadway. There is no justification offered for this waiver. There appears to be adequate space on the south side of the private roadway for a sidewalk.
6. The minimum lot area for a two-family dwelling in the R-3 district is 5,000 square feet per family. The proposed duplex lots range in size from 3,920 sf to 7,840 sf, with 26 of 32 lots containing less than 5,000 sf. Given the amount and proximity of open space provided in Outlot B and the recreational area, Planning Staff supports this waiver.
7. The Public Works Department supports the waiver to cul-de-sac geometry, provided parking is prohibited in the cul-de-sac, except for in the parking stalls shown on the proposed plan. The 18 foot wide travel lane would not provide adequate maneuvering space for large vehicles if parking in the cul-de-sac were allowed.
8. The required front yard setback is 20 feet, which Applicant proposes to reduce to 8.5 feet at its narrowest. The lots on the north side of the private road all provide front yard setbacks of 16 feet or more, except Lot 32 which provides less. The lots on the south side all provide front yard setbacks of at least 8 feet. However, an outlot for the private roadway provides an additional 16 feet to the curb. Therefore, the front yard will appear to be greater than 20 feet in all cases, except for Lot 32 along North 40th Street, which will be 13 feet.
9. The required rear yard setback is the smaller of 30 feet or 20% of the lot depth. In most cases, this setback is met. Lots 29-32 do not meet the requirement, primarily due to the curve in the road. Similarly, Lots 17 and 20 located on the cul-de-sac do not meet the requirement.

10. Planning Staff supports the waiver to front and rear yard setbacks, as shown on the proposed plans. The required side yard setback appears to be provided.
11. The sanitary sewer system is proposed to be private. The Public Works Department recommends the sanitary sewer system be public rather than private, noting the costs to maintain a private sanitary sewer system can be an unnecessary burden on future lot owners.
12. However, a public sanitary sewer system would require waivers to design standards to allow construction opposite street grades. The waiver would require holding this proposal over for continued hearing for advertising purposes, but Public Works would not oppose the waiver provided maximum and minimum depths are not exceeded. Additionally, an easement width of 15 feet on either side of the pipe and 3.5 feet of clearance from the back of curb would be required.
13. The Public Works Department will accept a private sanitary sewer system provided the plans are revised to show a 15 foot separation from the pipe centerline to any building envelope, and a 3.5 foot separation to back of curb. This will accommodate City design standards should the City be requested to take over the system.
14. A minimum 15 foot wide easement must be provided on either side of the centerline of the water main. The plans must be revised to provide this easement.
15. The Lower Platte South NRD will require a Written Notice of Intent and Stormwater Pollution Prevention Plan, as well as a US Army Corps of Engineers 404 Permit for work planned for expansion of the existing wetlands. Onsite grading must not disturb existing fences, and should provide positive drainage away from the toe of the Salt Creek levee.
16. The NRD has an easement over a portion of the site for an existing 24" drainage structure, which must be shown on the plans.
17. The existing bank of Turner Ditch is close to vertical. A concrete-type outlet structure may need to be used and designed so that it outlets with the direction of the flow.
18. LES easements must be shown on the plans.
19. Additional fire hydrant locations have been identified by the Fire Department and must be shown on the plans.
20. The street name Ballard Place has been used. The name of this private roadway must be changed to Ballard Court.

21. Outlot B is included in the density calculation for this CUP, but does not meet the requirements of the subdivision ordinance. This outlot must be attached to a lot that has frontage and access to a public street or private roadway. If it is attached to the church lot, it will no longer count towards density, and the density calculations will need to be revised accordingly.
22. The waiver to required yard setbacks must be listed on the site plan.
23. The landscape plan must be revised to add a note indicating all landscaping except for street trees to be planted between curb and sidewalk on city right-of-way on North 40th Street, shall be planted on private property and locations marked by landscape contractor who will be installing such plantings, and to add 5 Cimmarron Ash trees planted 6 feet from back of curb on North 40th Street right-of-way.
24. An agreement between the owner of Lot 33 and the developer of the CUP must be submitted providing the owners of Lots 1 through 32 with access to the recreational facilities on Lot 33.
25. The layout of the softball field is such that batters will be looking into the late afternoon sun and spectators will be close to the resident's back yards and homes. By locating the right field foul line parallel to the west property line, both of these conditions could be eliminated.

CONDITIONS:

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department office and the plans are found to be acceptable, the application will be scheduled on the City Council's agenda:
 - 1.1 Revise the plans to show:
 - 1.1.1 Provide the flow path and capacity calculations for the local 100yr storm.
 - 1.1.2 Add a note to the plan stating parking is prohibited in the cul-de-sac, except for in the parking stalls as shown on the plans, and no parking signs will be installed.
 - 1.1.3 Provide a minimum 15 foot wide separation between the centerline of the sanitary sewer main and any building envelope, and a minimum 3.5

foot wide separation between the sanitary sewer main and the back of curb.

- 1.1.4 Provide a minimum 15 foot wide easement on both sides of the centerline of the water main.
- 1.1.5 Show all required LES easements.
- 1.1.6 Provide additional fire hydrant locations to the satisfaction of the Fire Department.
- 1.1.7 Provide a new name for the Private Roadway "Ballard Place."
- 1.1.8 Revise Outlot B to conform to subdivision standards.
- 1.1.9 Add the waiver to required yard setbacks to the Waivers table.
- 1.1.10 Add a note to the Landscape Plan indicating all landscaping except for street trees to be planted between curb and sidewalk on city right-of-way on North 40th Street, shall be planted on private property and locations marked by landscape contractor who will be installing such plantings.
- 1.1.11 Add 5 Cimmaron Ash trees planted 6 feet from back of curb on North 40th Street right-of-way.
- 1.1.12 Add a note indicating up to 36,555 cubic yards of fill may be brought into the site. Increases from the amounts shown on the approved plans may be approved by the Planning Director.
- 1.1.13 Add a note stating grading will not disturb existing fences, and will provide positive drainage away from the toe of the Salt Creek levee.
- 1.1.14 Show the existing Lower Platte South NRD easement on the site plan.
- 1.1.15 Submit plans for the approval of the Public Works and Utilities Department and the Lower Platte South NRD for the outlet structure used in Turner Ditch.
- 1.1.16 Revise the layout of the softball field to provide more separation between the spectator stands and resident's homes, and so batters will not be looking into the late afternoon sun.

- 1.2 Submit a written agreement between the owner of Lot 33 and the developer of the CUP providing the owners of Lots 1 through 32 with access to the recreational facilities on Lot 33.
 - 1.3 Submit an ownership certificate.
2. This approval permits 32 dwelling units and a church, with waivers to the preliminary plat process, detention/retention storage for storm water, the minimum lot area for single-family attached lots, cul-de-sac geometry, and required front and rear yard setbacks.
3. The waiver of the preliminary plat process shall only be effective for a period of ten (10) years from the date of the city's approval, and shall be of no force or effect thereafter. If any final plat on all or a portion of the approved community unit plan is submitted five (5) years or more after the approval of the community unit plan, the city may require that a new community unit plan be submitted, pursuant to all the provisions of section 26.31.015. A new community unit plan may be required if the subdivision ordinance, the design standards, or the required improvements have been amended by the city; and as a result, the community unit plan as originally approved does not comply with the amended rules and regulations.

General:

4. Final Plats will be approved by the Planning Director after:
 - 4.1 You have completed or posted a surety to guarantee the completion of the private roadway improvements, sidewalks, sanitary sewer system, water system, drainage facilities, land preparation and grading, sediment and erosions control measures, drainageway improvements, street lights, landscaping screens, street trees, and street name signs.
 - 4.2 The subdivider has signed an agreement that binds the subdivider, its successors and assigns:
 - 4.2.1 to complete the street paving of the private roadway shown on the final plat within two (2) years following the approval of this final plat.
 - 4.2.2 to complete the installation of sidewalks along both sides of the private roadway, the west side of North 40th Street, the south side of Superior Street, and the connector sidewalk to the recreational area shown on the final plat within four (4) years following the approval of this final plat.

- 4.2.3 to complete the public water distribution system to serve this plat within two (2) years following the approval of this final plat.
- 4.2.4 to complete the private wastewater collection system to serve this plat within two (2) years following the approval of this final plat.
- 4.2.5 to complete the enclosed drainage facilities shown on the approved drainage study to serve this plat within two (2) years following the approval of this final plat.
- 4.2.6 to complete land preparation including open drainageway improvements to serve this plat prior to the installation of utilities and improvements but not more than two (2) years following the approval of this final plat
- 4.2.7 to complete the installation of public street lights along the private roadway within this plat within two (2) years following the approval of this final plat.
- 4.2.8 to complete the planting of the street trees along the private roadway, North 40th Street, and Superior Street within this plat within four (4) years following the approval of this final plat.
- 4.2.9 to complete the installation of the street name signs within two (2) years following the approval of this final plat.
- 4.2.10 to complete any other public or private improvement or facility required by Chapter 26.23 (Development Standards).
- 4.2.11 to submit to the Director of Public Works a plan showing proposed measures to control sedimentation and erosion and the proposed method to temporarily stabilize all graded land for approval.
- 4.2.12 to complete the public and private improvements shown on the preliminary plat.
- 4.2.13 to submit to the lot buyers and home builders a copy of the soil analysis.
- 4.2.14 to pay all design, engineering, labor, material, inspection, and other improvement costs.
- 4.2.15 to comply with the provisions of the Land Preparation and Grading requirements of the Land Subdivision Ordinance.

4.2.16 to properly and continuously maintain and supervise the private facilities which have common use or benefit, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning of storm water facilities as they were designed and constructed within the development, and that these are the responsibility of the land owner.

4.2.17 to relinquish the right of direct vehicular access from Lots 1 and 32 North 40th Street, and from Lot 33 to Superior Street, and North 40th Street except as shown.

4.2.18 to timely complete the public and private improvements and facilities required by Chapter 26.23 of the Land Subdivision Ordinance which have not been waived including but not limited to the list of improvements described above.

4.2.19 to post the required security to guarantee completion of the required improvements if the improvements are not completed prior to approval of this final plat.

5. Before receiving building permits:

5.1 The permittee shall have submitted a revised final plan including 5 copies and the plans are acceptable.

5.2 Submit a Written Notice of Intent and Stormwater Pollution Prevention Plan for approval to the Lower Platte South NRD.

5.3 Submit an approved Section 404 permit, or a letter from the US Army Corps of Engineers stating such permit is not required.

5.4 The construction plans shall comply with the approved plans.

5.5 Final Plats shall be approved by the City.

STANDARD CONDITIONS:

6. The following conditions are applicable to all requests:

6.1 Before occupying the dwelling units all development and construction shall have been completed in compliance with the approved plans.

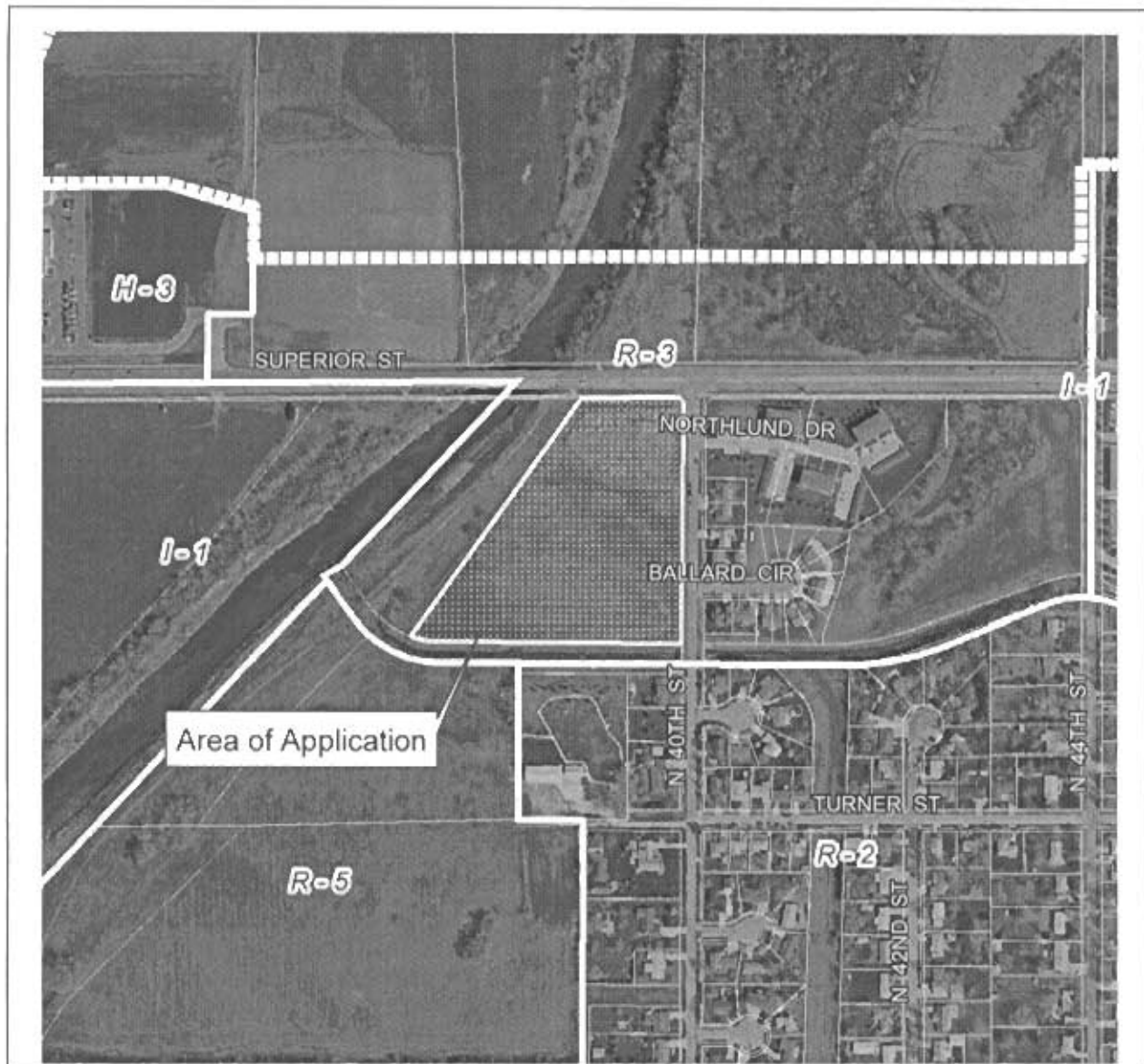
- 6.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.
- 6.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
- 6.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
- 6.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.

Prepared by:

Greg Czaplewski, 441.7620, gczaplewski@ci.lincoln.ne.us

Date: July 7, 2004

Applicants: and Owners:	Chris Kodad 2231 Calvert Street Lincoln, NE 68502 730.5082	Believer's Fellowship Church Pastor Dan Thompson PO Box 4758 Lincoln, NE 68504 438.7004
Contact:	Ross Engineering, Inc. August Ponstingl 201 North 8 th Street, Suite 401 Lincoln, NE 68508 474.7677	



Special Permit #04035
N. 40th & Superior St.
Andrea's Court CUP

2002 aerial

Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-6 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile
 Sec. 07 T10N R7E



Zoning Jurisdiction Lines

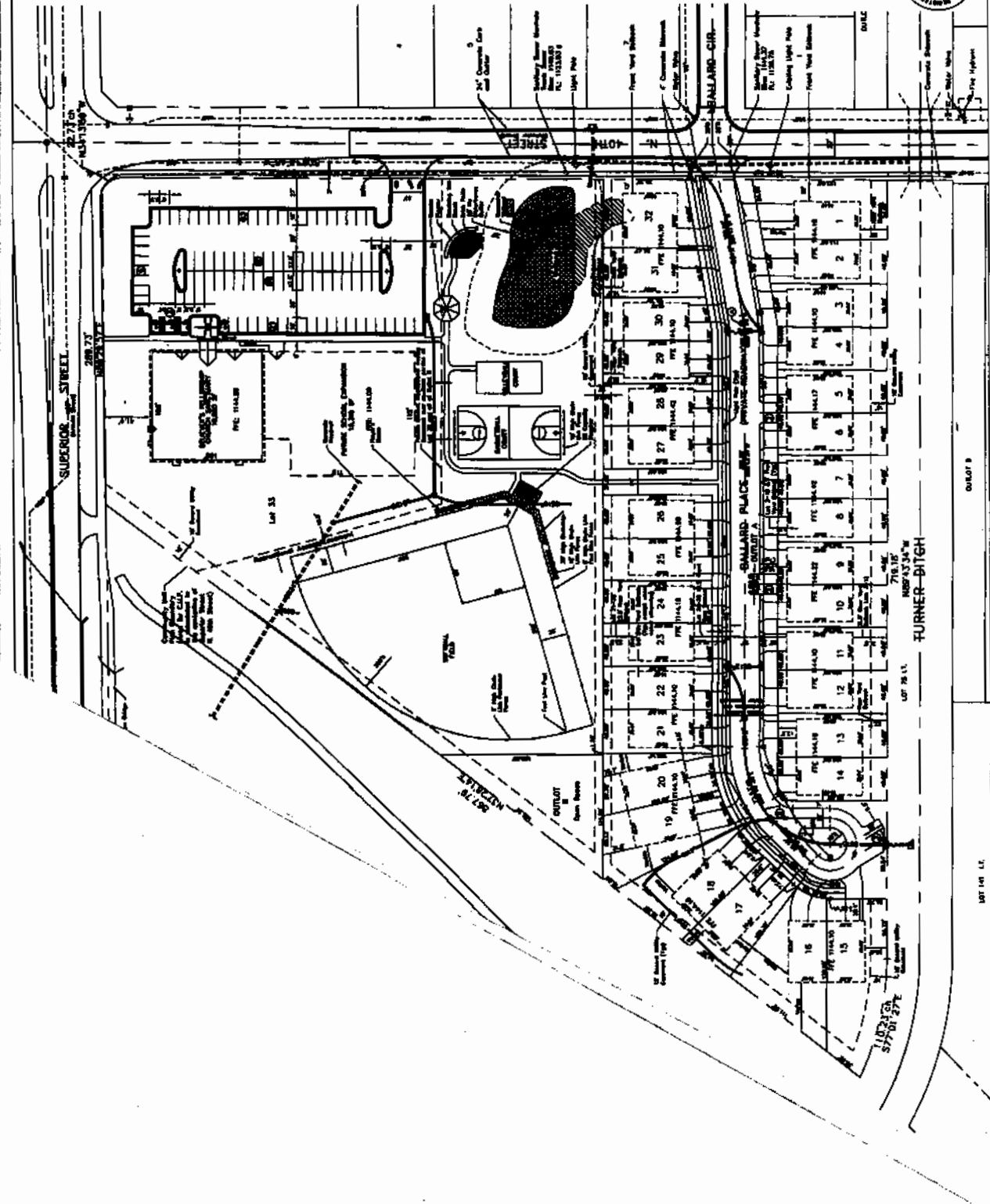
City Limit Jurisdiction



Lincoln City - Lancaster County Planning Dept



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OUTLET 8

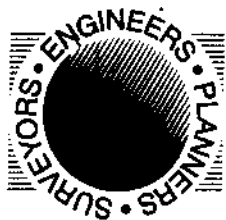
TURNER DITCH

776.15

776.15

LOT 145 L.E.

LOT 146 L.E.



ROSS
Engineering,
Inc.

June 21, 2004

Mr. Marvin Krout, AICP
Planning Director
City of Lincoln Planning Department
555 South 10th Street
Lincoln, NE 68508

Re: Andrea's Court Community Unit Plan Submittal
Lincoln, Nebraska
No. 40th Street and Superior Street
REI Project No. 145401-B

ESTABLISHED
1974

*Innovative
Designs
For the
Future of
Tomorrow*

Ladies and Gentlemen of the Planning Commission:

On behalf of Chris Kodad and Believer's Fellowship Church, we are pleased to submit an Application for a Community Unit Plan (CUP) for Andrea's Court for 32 Townhome units and Believers Fellowship Church. There are many recreational amenities with this CUP, including a basketball court, a softball field, and a volleyball court. The legal description for Andrea's Court CUP is: Lot 1, HANSON-JORDAN ADDITION to the City of Lincoln, location in the Northeast Quarter of Section 7, Township 10 North, Range 7 East of the Sixth Principal Meridian, Lancaster County. The proposed development is generally located at N. 40th and Superior Streets and lies completely within the 100-Year Floodplain. The total area for the CUP is 10.136 acres as measured to the centerline of the adjacent R.O.W's.

Sanitary Sewer:

An 8-inch sanitary sewer main will be extended to service the Townhomes on Ballard Place from N 40th Street. The sanitary sewer main will be private.

Water:

A 6-inch Public water main will extend from N. 40th Street to the end of Ballard Place.

Paving:

Ballard Place is a 27-foot wide Private Drive, ending in a Cul-De-Sac.

Recreational and Green space

A large green space will be set aside to the north of the Townhomes and south of the church. A sidewalk will be constructed from the Townhomes to the recreational area to the north and connect to the church building. Believers Fellowship will grant a private recreational easement to the townhomes to allow use of the facilities. As stated previously, the recreational facilities are a strong point for the development and will include a basketball court, a softball field, and a volleyball court, as well as a gazebo for picnics and a patio area nears the wetland.

Wetland:

A small, farmed out wetland has been identified from old aerals as having previously existed within the CUP boundary. Believers Fellowship retained GSI, Inc. to perform a jurisdictional wetlands determination and delineation on the 9.5-acre parcel. GSI identified a total of 0.14 acres of wetlands. The developer has agreed to replace a small portion of the area designated wetland with additional land adjacent to the historic location for wetland, by expanding the wetland to the north and the east. The total area set aside will be 0.17 acres. This is not a Category 4 Saline wetland. The wetland will be also not be impacted by additional drainage from the Church parking lot, because drainage will be captured by an inlet and channeled to the existing 24" storm sewer to the west. The developer has agreed to create a conservation easement around the wetland in the site plan so as not to disturb the wetland in the future.

The Candy Factory
201 North 8th Street
Suite 401
Lincoln, NE 68508
Phone 402.474.7677
Fax 402.474.7678

www.rossengineering.com

JUN 21 2004

**Waivers:**

We are requesting the following waivers to Design Standards:

1. Detention-retention storage. Due to the existing wetlands, close proximity to Salt Creek, and the approximate 3 acres of open space, we feel a detention pond is not warranted. Storm water will surface drain throughout the complex. The northwest portion of the development will drain through an existing 24" storm sewer maintained by the NRD out letting into Salt Creek.
2. Preliminary Plat Process, instead just the Community Unit Plan process.
3. Sidewalks on both side of road. Rather than build a sidewalk on the south side of Ballard Place, an alternative sidewalk shall be constructed to connect thru the recreational area to the north.
4. Minimum SF of Townhome lot.

Floodplain:

The amount of fill that would be required to take the existing grade for the site up to the 100 Year Floodplain Elevation of 43.0 along the north side and 43.1 on the south side is 48,741 CY. According to the conversations we had with Nicole Fleck-Toose and Devon Biesecker, we can bring in 75% of this amount. Therefore, the allowable quantity of fill is 36,555 CY. Our CUP shows fill in the amount for both the remaining Church property and Andrea's Court is slightly less than 36,000 CY, which means we are slightly less than the allowable 75% per the Flood Insurance Study requirements.

During our pre-application meetings with the City of Lincoln, Nicole Fleck-Toose and Devin indicated that the City of Lincoln would not require either a No Net Rise policy or the Compensatory Storage. We prepared our design in good faith that we would not be required to provide the additional storage requirements.

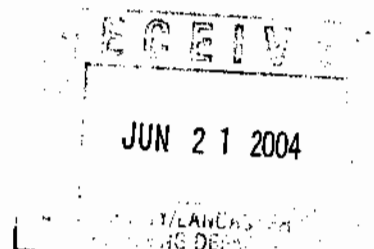
Density Calculation:

<u>Description</u>	<u>Number of Units</u>		<u>Acres</u>
Townhomes	32 units / 6.96 Units/AC.	=	4.59 AC
TOTAL within CUP: Includes Outlot A, Outlot B & Lots 1-32:			4.628 AC

Included with this submittal are the following:

- A. CUP Application
- B. Exhibit A: Legal Description of CUP
- C. Plans

Cover Sheet	21 copies
Existing Topographic Site Plan	4 copies
Site Plan	24 copies
Grading Plan	4 copies
Drainage Area Plan	4 copies
Street Profiles	4 copies
Utility Plan	4 copies
Landscape Plan	4 copies





D. Filing Fees Check in the amount of \$ 1,050.00

CUP Base Fee \$250.00

Unit fee: 32 units x \$25/unit \$800.00

E. Permission Letter from Dan Thompson and Chris Kodad

Sincerely,

ROSS ENGINEERING, INC.

Gus Ponstingl
Senior Planner

cc: Chris Kodad,
Daniel Thompson

145401A 01 (CUP Submittal letter)

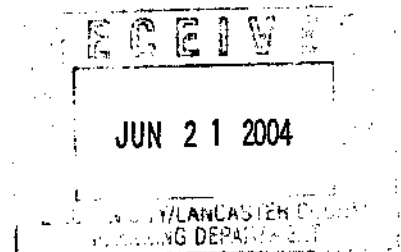


Exhibit A

LEGAL DESCRIPTION

AREA OF LOT 1, INCLUDED FOR ANDREA'S COURT COMMUNITY UNIT PLAN. FOR TOTAL AREA OF ANDREA'S COURT C.U.P., THE AREA IS CALCULATED TO THE CENTERLINE OF SUPERIOR STREET AND N. 40TH STREET.

A Legal Description of the Remaining Portion of Lot 1, HANSON-JORDAN ADDITION to the City of Lincoln, location in the Northeast Quarter of Section 7, Township 10 North, Range 7 East of the Sixth Principal Meridian, Lancaster County, Nebraska and more particularly described by metes and bounds as follows:

Beginning at a found 3/4" Pipe, being the Southeast Corner of the Remaining Portion of Lot 1, HANSON-JORDAN ADDITION to the City of Lincoln or the Northeast Corner of Lot 75 Irregular Tract, all location in the Northeast Quarter of Section 7, Township 10 North, Range 7 East of the Sixth Principal Meridian, Lancaster County, Nebraska and said point is on the West Right-of-way Line of North 40th Street; Thence N 89°43'34" W, (an assumed bearing), and on the South Line of the Remaining Portion of Lot 1 of said Hanson-Jordan Addition or the North Line of Lot 75 Irregular Tract of said Section 7, a distance of 719.18 feet to a found 1" Pipe, being the Point of Non-tangent Curvature; Thence on a curve to the right, and on the South Line of the Remaining Portion of Lot 1 of said Hanson-Jordan Addition or the North Line of Lot 75 Irregular Tract of said Section 7, having a radius of 256.48 feet, an arc length of 111.10 feet and a central angle of 24°49'05", with a chord bearing of N 77°01'27" W, a chord distance of 110.23 feet to a found 1" Pipe, being the Southwest Corner of the Remaining Portion of Lot 1 or the Southeast Corner of Outlot 'A' of said Hanson-Jordan Addition; Thence N37°28'14" E, and on the West Line of the Remaining Portion of Lot 1 or the East Line of Outlot 'A' of said Hanson-Jordan Addition, a distance of 867.79 feet to a Found 1" Pipe, being the Northwest Corner of the Remaining Portion of Lot 1 or the Northeast Corner of Outlot 'A' of said Hanson-Jordan Addition and also said point is on the South Right-of-way Line of Superior Street; Thence N 89°29'57" E, and on the North Line of the Remaining Portion of Lot 1 of said Hanson-Jordan Addition or the South Right-of-way Line of said Superior Street, a distance of 289.73 feet to a found 1" Pipe, being the Point of Non-tangent Curvature; Thence on a curve to the right, and on the Northerly Line of the Remaining Portion of Lot 1 of said Hanson-Jordan Addition or the Southerly Right-of-way Line of said Superior Street, having a radius of 20.00 feet, an arc length of 24.18 feet, and a central angle of 69°15'33", with a chord bearing of S 34°12'59" E, a chord distance of 22.73 feet to a found 1" Pipe, being a point on the West Right-of-way Line of said North 40th Street; Thence S 00°18'48" W, and on the East Line of the Remaining Portion of Lot 1 of said Hanson-Jordan Addition or the West Right-of-way Line of said North 40th Street, a distance of 700.67 feet to the point of beginning and containing a calculated area of 410,046.25 square feet or 9.413 acres, more or less.

